

# **EXHIBIT 39**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CISCO SYSTEMS, INC.,

Plaintiff,

vs.

No. 5:14-cv-05344

ARISTA NETWORKS, INC.,

BLF (PSG)

Defendants.

-----  
HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

CONTINUED VIDEOTAPED DEPOSITION OF KIRK LOUGHEED  
VOLUME III  
PALO ALTO, CALIFORNIA  
FRIDAY, SEPTEMBER 16, 2016

REPORTED BY:

ANDREA M. IGNACIO, CSR, RPR, CRR, CCRR, CLR,

CSR LICENSE NO. 9830

JOB NO. 2443465

PAGES 400 - 654

Page 400

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CISCO SYSTEMS, INC.,

Plaintiff,

vs.

No. 5:14-cv-05344

ARISTA NETWORKS, INC.,

BLF (PSG)

Defendants.

---

Continued Videotaped 30(b)(6) Deposition of  
KIRK LOUGHEED, Volume III, taken on Friday,  
September 16, 2016, pursuant to notice, on behalf  
of the Defendants, at Wilson Sonsini Goodrich &  
Rosati, 601 California Street, Palo Alto,  
California, before me, ANDREA M. IGNACIO, CSR, RPR,  
CRR, CLR ~ License No. 9830.

1 financially interested in the outcome in any way.

2 If there are any objections to proceeding,  
3 please state them at the time of your appearance,  
4 beginning with the noticing attorney.

5 MR. SANTACANA: Good morning. Eduardo  
6 Santacana from Keker & Van Nest, for Arista Networks.

7 MR. HOLMES: Drew Holmes of Quinn Emanuel, on  
8 behalf of Cisco and the witness.

9 THE VIDEOGRAPHER: Thank you.

10 The witness will be sworn in, and counsel may  
11 begin the examination.

12  
13 KIRK S. LOUGHEED,  
14 having been re-sworn as a witness  
15 by the Certified Shorthand Reporter,  
16 testified as follows:

17  
18 FURTHER EXAMINATION

19 BY MR. SANTACANA:

20 Q Good morning, Mr. Lougheed. My name is  
21 Eduardo Santacana. I represent Arista Networks in the  
22 Cisco versus Arista case.

23 You've been deposed twice before in this  
24 case; is that correct?

25 A That's correct.

1

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

1

[illegible]

1



1

1



1



1

10

1

5



1

7

10

5

1

1



1

[illegible]



1

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

J U R A T

I, Kirk Lougheed, Volume III, do hereby  
certify under penalty of perjury, that I have read  
the foregoing transcript of my deposition in the  
matter of Cisco Systems vs. Arista Networks taken  
on September 16, 2016; that I have made such  
corrections as appear noted herein in ink,  
initialed by me; that my testimony as contained  
herein, as corrected, is true and correct.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2016,  
at \_\_\_\_\_.

\_\_\_\_\_  
SIGNATURE OF WITNESS

CERTIFICATE OF REPORTER

I, ANDREA M. IGNACIO, hereby certify that the witness in the foregoing deposition was by me duly sworn to tell the truth, the whole truth, and nothing but the truth in the within-entitled cause;

That said deposition was taken in shorthand by me, a disinterested person, at the time and place therein stated, and that the testimony of the said witness was thereafter reduced to typewriting, by computer, under my direction and supervision;

That before completion of the deposition, review of the transcript [x] was [ ] was not requested. If requested, any changes made by the deponent (and provided to the reporter) during the period allowed are appended hereto.

I further certify that I am not of counsel or attorney for either or any of the parties to the said deposition, nor in any way interested in the event of this cause, and that I am not related to any of the parties thereto.

Dated: 9/20/2016



ANDREA M. IGNACIO,

RPR, CRR, CCRR, CLR, CSR No. 9830